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APR 06 2005

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**FAX TRANSMITTAL**

Date: April 6, 2005

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TO: COMMISSIONER FOR PATENTS, PO BOX 1450,  
ALEXANDRIA, VA 22313-1450

ATTENTION: EXAMINER SARA S CLARKE, ART UNIT 3749

FAX NUMBER: (703) 872-9306

FROM: PAUL MILLIKEN

If you do not receive any of the pages, please call Paul Milliken (330) 830-1555

**MESSAGE:**

RE: Inventor: Douglas Hadfield  
FIREPLACE AND FIREBACK THEREFOR (Docket No. P385)  
US SERIAL NO. 10/680,834 FILED: 10/07/2003

Transmitted herewith is a Request for Continued Examination (RCE), Amendment (B) and credit card form PTO-2038 authorizing payment of the \$395.00 fee for a small entity.

Respectfully submitted,



Paul E Milliken  
Attorney for Applicant

**Certificate of Transmittal**

I hereby certify that this correspondence is being facsimile transmitted to the US Patent and Trademark Office (Fax No. (703) 872-9306) on April 6, 2005.

Paul E Milliken

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PTO/SB/30 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031  
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<b>Request for Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/680,834
	Filing Date	10/07/2003
	First Named Inventor	DOUGLAS HADFIELD
	Art Unit	3749
	Examiner Name	SARA SACHIE CLARKE
	Attorney Docket Number	P385

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. \_\_\_\_\_ I have enclosed a duplicate copy of this sheet.

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☒ Payment by credit card (Form PTO-2038 enclosed)

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**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>Paul E Milliken</i>	Date	04/06/2005
Name (Print/Type)	PAUL E MILLIKEN	Registration No.	22,403

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature	<i>Paul E Milliken</i>	Date	04/06/2005
Name (Print/Type)	PAUL E MILLIKEN	Date	04/06/2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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